

NOV 12 2008

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JOHN F. CORCORAN, CLERK
BY:  DEPUTY CLERK

BRANDON RAY BANKS,
Petitioner,

v.

DANIEL BRAXTON,
Respondent.

) Civil Action No. 7:08-cv-00239
)
)
)

) **FINAL ORDER**
)

) By: Hon. Glen E. Conrad
) United States District Judge

In accordance with the written memorandum opinion entered this day, it is hereby

ORDERED

that the respondent's motion to dismiss is **GRANTED**; the petitioner's habeas corpus petition is **DISMISSED**; and the case is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the petitioner and counsel of record for the respondent.

ENTER: This 12th day of November, 2008.


United States District Judge